

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 17-19450
Luz Adriana Alvarez Judge: Michael B. Kaplan

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: August 2020
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: AIG Initial Debtor: LAA Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 3,300.00 per month to the Chapter 13 Trustee, starting on September 1, 2020 for approximately 20 months. \$80,256.00 paid to date.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☒ Other sources of funding (describe source, amount and date when funds are available):

Family will provide certifications of support to enable debtor to make plan payments.

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☐ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE - Arthur Skaar, Esquire (former attorney)	ADMINISTRATIVE	PAID \$500.00
GORSKI & KNOWLTON, PC - current counsel	ADMINISTRATIVE	PER COURT ORDER
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
MEB/Loan Trust IV/ Select Portfolio	post-petition arrears 18 Gordon Hills Dr.	\$21,158.43	0	\$21,158.43	\$1,112.39
MEB Loan Trust IV	18 Garden Hills Dr.	\$94,849.15	0	\$94,849.15	\$1,112.39
Chase Bank/Goldman Sachs	18 Garden Hills Dr.	\$2,397.33	0	\$2,397.33	\$1,919.56

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☐ Not less than _____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☒ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Administrative
- 3) Secured Claims
- 4) Priority/unsecured claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 10/6/2017.

Explain below **why** the plan is being modified:

1. MEB Loan Trust IV filed Motion for Relief.
2. Substitution of Gorski & Knowlton PC for Arthur Skaar as Debtor's counsel.

Explain below **how** the plan is being modified:

1. Post petition arrears of \$21,158.43 added to section 4B.
2. Added counsel fees to section 3.

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 7/27/2020

/s/ Luz Adriana Alvarez
Debtor

Date: _____

Joint Debtor

Date: 7/31/2020

/s/ Allen I. Gorski
Attorney for Debtor(s)

Certificate of Notice Page 11 of 12

United States Bankruptcy Court
District of New JerseyIn re:
Luz Adriana Alvarez
DebtorCase No. 17-19450-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 37

Date Rcvd: Aug 07, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 09, 2020.

db
cr
Luz Adriana Alvarez, 18 Garden Hills Dr, Somerset, NJ 08873-5337
+JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, Phelan Hallinan & Schmieg, PC,
400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
516814383 Bank of America, Attn: Milstead & Assoc, 1 E Stow Rd, Marlton, NJ 08053-3118
517028199 Bank of America, N.A., PO Box 31785, Tampa, FL 33631-3785
516814384 Barclays Bank Delaware, 100 S West St, Wilmington, DE 19801-5015
516814385 Barclays Bank Delaware, PO Box 8803, Wilmington, DE 19899-8803
517081156 CACH, LLC its successors and assigns as assignee, of Capital One, N.A.,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
516814393 Gastroenterology Consultants, 205 May St Ste 201, Edison, NJ 08837-3267
518864668 +Goldman Sachs Mortgage Company, Serviced by Select Portfolio Servicing,, PO Box 65250,
Salt Lake City, UT 84165-0250
518864669 +Goldman Sachs Mortgage Company, Serviced by Select Portfolio Servicing,, PO Box 65250,
Salt Lake City, UT 84165-0250, Goldman Sachs Mortgage Company,
Serviced by Select Portfolio Servicing,
516814394 Highland Park Medical Assocs, 579A Cranbury Rd Ste 102, East Brunswick, NJ 08816-5426
516814395 +L C Quality Dental, 2000 State Route 27, North Brunswick, NJ 08902-1384
518585917 +MEB Loan Trust IV, Serviced by Select Portfolio Servicing,, 3217 S. Decker Lake Dr.,
Salt Lake City, UT 84119-3284
518585918 +MEB Loan Trust IV, Serviced by Select Portfolio Servicing,, 3217 S. Decker Lake Dr.,
Salt Lake City, UT 84115, MEB Loan Trust IV, 84119-3284
516814399 Scott Alvarez, 18 Garden Hills Dr, Somerset, NJ 08873-5337
516831717 +VW Credit, Inc., PO Box 9013, Addison, Texas 75001-9013

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. smg

E-mail/Text: usanj.njbankr@usdoj.gov Aug 08 2020 01:19:20 U.S. Attorney, 970 Broad St.,
Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Aug 08 2020 01:19:16 United States Trustee,
Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
Newark, NJ 07102-5235
516814388 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 08 2020 01:12:09
Capital One Bank USA N, 15000 Capital One Dr, Richmond, VA 23238-1119
516814386 E-mail/Text: bankruptcy@usecapital.com Aug 08 2020 01:20:24 Capital Accounts,
PO Box 140065, Nashville, TN 37214-0065
516814387 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 08 2020 01:13:09 Capital One,
Attn: General Correspondence/Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
516814389 E-mail/PDF: MerrickBKNotifications@Resurgent.com Aug 08 2020 01:14:00 Cardworks/CW Nexus,
Attn: Bankruptcy, PO Box 9201, Old Bethpage, NY 11804-9001
516814391 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 08 2020 01:18:57 Comenity Bank/Lane Bryant,
Attn: Bankruptcy, PO Box 182125, Columbus, OH 43218-2125
516814392 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Aug 08 2020 01:18:57 Comenity Bank/Lnbryant,
4590 E Broad St, Columbus, OH 43213-1301
516814390 E-mail/PDF: ais.chase.ebn@americaninfosource.com Aug 08 2020 01:14:11 Chase Bank,
PO Box 183166, Columbus, OH 43218-3166
517057380 E-mail/PDF: ais.chase.ebn@americaninfosource.com Aug 08 2020 01:14:11
JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, Attn: Correspondence Mail, Mail Code LA4-5555,
700 Kansas Lane, Monroe, LA 71203
516939574 E-mail/PDF: MerrickBKNotifications@Resurgent.com Aug 08 2020 01:14:00 MERRICK BANK,
Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
516814396 E-mail/PDF: MerrickBKNotifications@Resurgent.com Aug 08 2020 01:12:02 Merrick Bank,
PO Box 9201, Old Bethpage, NY 11804-9001
516814397 E-mail/PDF: bankruptcy@ncfsi.com Aug 08 2020 01:13:16 New Century Financial,
110 S Jefferson Rd Ste 104, Whippany, NJ 07981-1038
517087498 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 08 2020 01:12:36
Portfolio Recovery Associates, LLC, c/o Barclaycard, POB 41067, Norfolk VA 23541
517079879 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 08 2020 01:14:21
Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.A., POB 41067,
Norfolk VA 23541
516814398 E-mail/Text: bankruptcy@savit.com Aug 08 2020 01:20:11 Sa-Vit Collection Agen,
46 W Ferris St, East Brunswick, NJ 08816-2159
516814400 E-mail/PDF: gecsedirecoverycorp.com Aug 08 2020 01:12:59 Synch/steinmart Pllc,
PO Box 965005, Orlando, FL 32896-5005
516814401 E-mail/PDF: gecsedirecoverycorp.com Aug 08 2020 01:14:02 Synchrony Bank,
Attn: Bankruptcy, PO Box 956060, Orlando, FL 32896-5060
516814402 E-mail/PDF: gecsedirecoverycorp.com Aug 08 2020 01:14:02 Synchrony Bank,
Attn: Bankruptcy Dept, PO Box 965060, Orlando, FL 32896-5060
516817498 +E-mail/PDF: gecsedirecoverycorp.com Aug 08 2020 01:14:01 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
516814403 E-mail/Text: vci.bkcy@vwcredit.com Aug 08 2020 01:19:32 VW Credit Inc, 1401 Franklin Blvd,
Libertyville, IL 60048-4460

TOTAL: 21

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 37

Date Rcvd: Aug 07, 2020

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 09, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 6, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Allen I Gorski on behalf of Debtor Luz Adriana Alvarez agorski@gorskiknowlton.com
Andrew M. Lubin on behalf of Creditor Select Portfolio Servicing, Inc., as servicer for MEB
LOAN TRUST IV bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Andrew M. Lubin on behalf of Creditor Bank of America, N.A. bkecf@milsteadlaw.com,
alubin@milsteadlaw.com
Denise E. Carlon on behalf of Creditor VW Credit, Inc. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
James Patrick Shay on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
shay@bbs-law.com, jpshay@gmail.com
Nicholas V. Rogers on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
nj.bkecf@fedphe.com
R. A. Lebron on behalf of Creditor Select Portfolio Servicing, Inc., as servicer for MEB LOAN
TRUST IV bankruptcy@feinsuch.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9